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Application of: THOMAS et al.

Serial No.: 09/497,957

Filed: February 4, 2000

For: PLASMIDS COMPRISING NUCLEIC

ACIDS FROM THE HEREDITARY HEMOCHROMATOSIS GENE

Group Art Unit: 1644

Examiner: DECLOUX, A.

Attorney Docket No.: 8907-087-999

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

- Enclosures accompanying this Information Disclosure Statement are:
 - 1a. A list of all patents, publications, applications, or other information submitted for consideration by the office.
 - 1b. A legible copy of:
 - Each U.S. patent application publication and U.S. and foreign patent, other than copies of AA-EQ, previously submitted and of reference in Serial No. 08/834,497, filed on April 4, 1997--See Section 6 of this IDS;
 - Each publication or that portion which caused it to be listed on the PTO-1449, other than copies of AA-EQ, previously submitted and of reference in Serial No. 08/834,497, filed on April 4, 1997--See Section 6 of this IDS;
 - For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;
 - all other information or portion which caused it to be listed on the PTO-1449.

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lc	•		An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.
1d	<u>-</u>		Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.
	Th	is Ir	nformation Disclosure Statement is filed under 37 C.F.R. §1.97(b):
			thin three months of the filing date of a national application other than a continued esecution application under §1.53(d);
			thin three months of the date of entry of the national stage as set forth in §1.491 in an ernational application;
		Be	fore the mailing of the first Office action on the merits;
			fore the mailing of a first Office action after the filing of a request for continued amination under §1.114.
⊠	spe C.I	ecifi F.R.	aformation Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period ed in 37 C.F.R §1.97(b), but before the mailing date of any of a final action under 37 §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise prosecution in the application.
3a.			The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
3b.		⊠	The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
			 □ enclosed to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150 (Order No. 8907-087-999).
			aformation Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period ed in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.
	Th	e \$1	80.00 fee set forth in 37 C.F.R. §1.17(p) is:
		_ _	enclosed. to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.
	Th	e Ce	ertification Statement in Item 5 below is applicable.
o	Ce	rtific	cation Statement (applicable if Item 3a or Item 4 is checked)
5a.			In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

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5b.		In accordance with 37 C.F.R. §1.97(e)(2), it is certified that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known by any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
⊠	This ap	plication is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).
6a.		A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
6b.	⊠	The above-identified application is a continuation of U.S. Patent Application Serial No. 08/834,497, filed on April 4, 1997. References listed herein as AA-EQ are of record in U.S. Patent Application Serial No. 08/834,497. Therefore, pursuant to 37 C.F.R. §1.98(d), copies of these references are not submitted herewith. However, if the Examiner would prefer, copies of these references will be made available to the Examiner upon request.
6c.	⊠	Copies of the references listed on Form PTO-1449 as references ER-GS were not previously cited in prior application Serial No. 08/834,497, filed on April 4, 1997, and are provided herewith for consideration.
	This is	a Supplemental Information Disclosure Statement.
7a.		This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on
7b.		This Supplemental Information Disclosure Statement is timely filed within one (1) month of a PTO Notice under 37 C.F.R. §1.97(i).
0		rdance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to elevance of each non-English language publication is:
8a.	0	satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
8b.		set forth in the application.

enclosed as an attachment hereto.

LLP Deposit Account No. 16-1150 (order no. 8907-087-999).

☐ The Commissioner is authorized to charge any additional fee required or credit any

overpayment for this Information Disclosure Statement and/or Petition to Pennie & Edmonds

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8c.

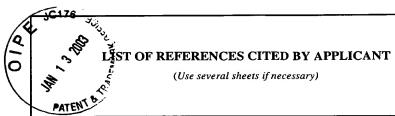
9.

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10.

No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

	Respectfully submitted,	
Date January 13, 2003		43,341
	Birgit Millauer (na.). Poissant For: Brian M. Poissant, Reg. No. 28,462	(Reg. No.)
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	GL	Sprague, J., et al., "Expression of a Recombinant DNA Gene Coding for the Vesicular Stomatitis Virus Nucleocapsid Protein," J. Virol. (1983) 45(2):773-781 (0022-538X/83).
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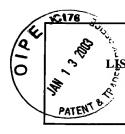


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